

quinn emanuel trial lawyers | los angeles

51 Madison Avenue, 22nd Floor, New York, New York 10010-1601 | TEL (212) 849-7000 FAX (212) 849-7100

WRITER'S DIRECT DIAL NO.
(212) 849-7441

WRITER'S INTERNET ADDRESS
manishasheth@quinnemanuel.com

May 27, 2015

VIA ECF

The Honorable James C. Francis
United States Magistrate Judge
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street, Room 18D
New York, New York 10007

Re: United States v. Novartis Pharmaceuticals Corp., 11 Civ. 8196 (CM) (JCF)

Dear Judge Francis:

We represent Defendant Novartis Pharmaceuticals Corporation ("NPC") in this case and write in response to the Relator's May 20, 2015 letter requesting that the Court order NPC to disclose the date by which it will substantially complete its production in response to the Relator's current discovery requests. See Dkt. No. 443.

To date, the Relator has served nearly 70 document requests on NPC relating to the non-intervened case, the most recent of which was served on April 16, 2015. NPC anticipates that it will be able to substantially complete its production of documents responsive to these pending requests by June 30, 2015. Indeed, NPC already has produced approximately 737,000 pages of documents, and is in the process of collecting, reviewing, and producing additional responsive documents.

NPC notes, however, that its June 30, 2015 date for substantial completion is based on the assumption that the Relator will not serve additional discovery requests or seek to broaden the scope of current requests. If the Relator does so, then the June 30, 2015 date may not be achievable. NPC has asked the Relator if he will confirm that there will not be additional requests related to the non-intervened case, but the Relator has refused to do so.

In light of the above, NPC does not believe an extension of the discovery deadline is warranted. For the non-intervened portion of the case, Judge McMahon has set a discovery

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cutoff of August 31, 2015. With a June 30, 2015 substantial completion date, the Relator will still have two months to complete depositions.¹

Accordingly, NPC respectfully requests the Court deny the Relator's letter request as moot.

Thank you for Your Honor's consideration of this submission.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "M. Sheth" followed by a stylized flourish or set of initials in parentheses.

Manisha M. Sheth

cc: All counsel of record via ECF

¹ Novartis does not understand why the Relator references a July 21, 2015 deadline for the exchange of expert reports. That date comes from an endorsement by Judge McMahon that was issued prior to the Court's current order dated April 7, 2015. See Dkt. No. 407.